

# Order

**Michigan Supreme Court  
Lansing, Michigan**

September 27, 2018

Stephen J. Markman,  
Chief Justice

156850 & (42)

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Kurtis T. Wilder  
Elizabeth T. Clement,  
Justices

**DRAGO KOSTADINOVSKI and BLAGA  
KOSTADINOVSKI,**  
Plaintiffs-Appellees/  
Cross-Appellants,

v

SC: 156850  
COA: 333034  
Macomb CC: 2014-002247-NH

**STEVEN D. HARRINGTON, M.D., and  
ADVANCED CARDIOTHORACIC  
SURGEONS, PLLC,**  
Defendants-Appellants/  
Cross-Appellees.

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On order of the Court, the application for leave to appeal the October 24, 2017 judgment of the Court of Appeals and the application for leave to appeal as cross-appellants are considered. We direct the Clerk to schedule oral argument on the applications. MCR 7.305(H)(1).

The parties shall file supplemental briefs within 42 days of the date of this order addressing the issues raised in the primary appeal and the cross-appeal, including how, consistent with MCL 600.2912b, a plaintiff in a medical malpractice case may amend the complaint to include newly discovered claims against an existing defendant. In addition, the appellants shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). Each party may file a response brief within 14 days of being served with the other party's initial supplemental brief. Additionally, at this time, the appellees/cross-appellants shall electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellants. The parties should not submit mere restatements of their application papers.

The Michigan Association for Justice, the Michigan Defense Trial Counsel, Inc., and the Negligence Law Section of the State Bar of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.

VIVIANO, J., not participating due to a familial relationship with the presiding circuit court judge in this case.



d0920

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 27, 2018

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk